

RELIEF ASSISTANCE

Exchanges of notes at Rome November 26, 1948

Entered into force November 26, 1948

*Supplemented by agreement of November 26, 1948*¹

*Amended by agreement of July 19, 1952*²

62 Stat. 3809; Treaties and Other
International Acts Series 1914

The American Ambassador to the Minister of Foreign Affairs

No. 2131

NOVEMBER 26, 1948

EXCELLENCY:

I have the honor to refer to paragraph 2, Article VI and paragraph 5, Article IV of the Economic Cooperation Agreement between Italy and the United States of America, signed in Rome on June 28, 1948.³

In accordance with the above-mentioned provisions and pursuant to exchanges of views between the Ministry of Foreign Affairs and the Italian Delegation for European Economic Cooperation on the one hand, and the Embassy of the United States of America and the Economic Cooperation Administration mission in Rome on the other, it is understood that:

(1) The Italian Government, pursuant to paragraph 2, Article VI, shall admit under duty-free treatment:

(a) Supplies of relief goods donated to or purchased by United States voluntary non-profit relief agencies qualified under ECA regulations, such supplies to be distributed in accordance with instructions of such agencies, by and consigned to ENDSI (Ente Nazionale Distribuzione Soccorsi in Italia), an organization created by Legislative Decree of the Lieutenant General, dated September 28, 1944, Official Gazette No. 62 of September 30, 1944, for the purpose of distributing relief goods. "Relief Goods" shall be construed as meaning supplies or products intended for relief purposes, excluding nonessential luxury items.

¹ TIAS 1914, *post*, p. 331.

² 3 UST 5078; TIAS 2694.

³ TIAS 1789, *ante*, p. 306.

(b) Standard relief parcels supplied by CARE (Cooperative for American Remittances to Europe), or by such similar agencies as may be mutually agreed upon.

(c) Gift parcels labelled "U.S.A. Gift Parcel", shipped by parcel post from individuals in the United States of America, its territories and insular possessions, to individuals residing in Italy, packed in accordance with current international postal regulations, weight not to exceed 10 kilograms gross; limited to food, but not more than 2 kilograms coffee, and not more than 3 kilograms sugar; clothing and clothing materials, shoes and shoe-making materials, and medical and health supplies excluding narcotics, alkaloids and saccarine; in such quantities as to clearly indicate usage limited to addressee and family and limited to one parcel per month for each individual Italian addressee.

(d) Gift parcels labelled "U.S.A. Gift Parcel", shipped other than by parcel post, from individuals, partnerships, corporations or associations in the United States, its territories and insular possessions, addressed to individuals residing in Italy, provided that the weight, content and other limitations as given in (c) above shall apply and provided further that ENDSI is designated as the receiving agency and acts as distribution agent.

(2) As regards transportation costs within Italy referred to in paragraph 5, Article IV of the Economic Cooperation Agreement, it is understood that:

(a) Relief goods, standard relief parcels and packages admitted duty free under (1) a, b and d above shall be received, warehoused, handled and transported to designated recipient without charge by ENDSI to donor, recipient or relief agency. All costs for such services shall be borne by ENDSI with funds made available by the Italian Government, and not from the Special Account (Lire Fund).

(b) With respect to gift parcels referred to in (1) c above, the Italian Postal Service shall determine its charges within Italy at the rates established by the international postal system. The Italian Postal Service shall be reimbursed for such charges from the Special Account (Lire Fund).

(3) The Italian Government shall reimburse the Italian Postal Service for its charges under (2) b above from the Special Account, and shall submit monthly to the ECA mission—copy to the ECA Controller in Washington—a report of the amounts reimbursed, in a form satisfactory to the Italian Government and to the ECA mission, it being understood that each of such reports shall specify the total weight transported and charges therefor. If any adjustment in the amount of such reimbursements is necessary as a result of ECA audit, such adjustment shall be made promptly.

(4) With regard to duty-free treatment, the terms of this note shall take effect immediately. With regard to the defrayment of postal charges for gift parcels, the terms of this note shall take effect after notification has been

given the Italian Government by the U.S. Government that postage has been reduced and charges therefor may then be paid from the special account. However, with respect to the provisions in (2) a above, the terms of this note shall be effective retroactively to July 1, 1948.

If the foregoing is in accord with the understanding of the Italian Government, I would appreciate Your Excellency's so advising me. The two notes then exchanged will constitute agreement by our two Governments in the premises.

Accept, Excellency, the renewed assurance of my highest consideration.

JAMES CLEMENT DUNN

His Excellency
Count CARLO SFORZA,
Minister for Foreign Affairs,
Rome.

The Minister of Foreign Affairs to the American Ambassador

[TRANSLATION]

THE MINISTRY OF FOREIGN AFFAIRS
No. 44/7350/605

ROME, November 26, 1948

EXCELLENCY:

I have the honor to refer to Your Excellency's Note No. 2131 of November 26, 1948, in which you were good enough to inform me as follows:

[For text of U.S. note, see above.]

I have the honor to inform you that the Italian Government is in agreement on the foregoing and that the present exchange of Notes constitutes an agreement between our two Governments.

Accept, Excellency, the assurances of my highest consideration.

SFORZA

His Excellency JAMES CLEMENT DUNN
Ambassador of the United States of America
Rome.